

2 **SB 5063** - H COMM AMD
3 By Committee on Government Administration

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 23B.14
8 RCW to read as follows:

9 (1) Any county, city, town, district, or other political
10 subdivision of the state, or the state of Washington or any department
11 or agency of the state, may apply to the secretary of state for the
12 administrative dissolution, or the revocation of a certificate of
13 authority, of any corporation using a name that is not distinguishable
14 from the name of the applicant for dissolution. The application must
15 state the precise legal name of the governmental entity and its date of
16 formation and the applicant shall mail a copy to the corporation's
17 registered agent. If the name of the corporation is not
18 distinguishable from the name of the applicant, then, except as
19 provided in subsection (4) of this section, the secretary shall
20 commence proceedings for administrative dissolution under RCW
21 23B.14.210 or revocation of the certificate of authority.

22 (2) A name may not be considered distinguishable by virtue of:

23 (a) A variation in any of the following designations, or in the
24 order in which the designation appears with respect to other words in
25 the name: "County"; "city"; "town"; "district"; or "department";

26 (b) The addition of any of the designations listed in RCW
27 23B.04.010(1)(a);

28 (c) The addition or deletion of an article or conjunction such as
29 "the" or "and" from the same name;

30 (d) Punctuation, capitalization, or special characters or symbols
31 in the same name; or

32 (e) Use of an abbreviation or the plural form of a word in the same
33 name.

34 (3)(a) The following are not distinguishable for purposes of this
35 section:

36 (i) "City of Anytown" and "City of Anytown, Inc."; and

1 (ii) "City of Anytown" and "Anytown City."

2 (b) The following are distinguishable for purposes of this section:

3 (i) "City of Anytown" and "Anytown, Inc.";

4 (ii) "City of Anytown" and "The Anytown Company"; and

5 (iii) "City of Anytown" and "Anytown Cafe, Inc."

6 (4) If the corporation that is the subject of the application was
7 incorporated or certified before the formation of the applicant as a
8 governmental entity, then this section applies only if the applicant
9 for dissolution provides a certified copy of a final judgment of a
10 court of competent jurisdiction determining that the applicant holds a
11 superior property right to the name than does the corporation.

12 (5) The duties of the secretary of state under this section are
13 ministerial.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 24.03 RCW
15 to read as follows:

16 Section 1 of this act applies to this chapter.

17 NEW SECTION. **Sec. 3.** A new section is added to chapter 24.06 RCW
18 to read as follows:

19 Section 1 of this act applies to this chapter.

20 NEW SECTION. **Sec. 4.** A new section is added to chapter 24.12 RCW
21 to read as follows:

22 Section 1 of this act applies to this chapter.

23 NEW SECTION. **Sec. 5.** A new section is added to chapter 24.20 RCW
24 to read as follows:

25 Section 1 of this act applies to this chapter.

26 NEW SECTION. **Sec. 6.** A new section is added to chapter 24.24 RCW
27 to read as follows:

28 Section 1 of this act applies to this chapter.

29 NEW SECTION. **Sec. 7.** A new section is added to chapter 24.28 RCW
30 to read as follows:

31 Section 1 of this act applies to this chapter.

1 NEW SECTION. **Sec. 8.** A new section is added to chapter 23.86 RCW
2 to read as follows:
3 Section 1 of this act applies to this chapter."

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